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Page 1 of 2 *Jfe*

UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/825,079 | 04/14/2004 | Alois Johann Haringer | 4677 |

021553
FASSE PATENT ATTORNEYS, P.A.
P.O. BOX 726
HAMPDEN, ME 04444-0726

RECEIVED

JUL 0 1 2004

FASSE PATENT ATTORNEYS

CONFIRMATION NO. 7169

FORMALITIES LETTER



OC000000013087172

Date Mailed: 06/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/26/2004 MBIZUNES 00000003 10825079

FILED UNDER 37 CFR 1.53(b)

| | |
|------------|-----------|
| 01 FC:2001 | 385.00 OP |
| 02 FC:2051 | 65.00 OP |
| 03 FC:2202 | 18.00 OP |

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 4-6 & 11 are not in compliance with 37 CFR 1.52(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$18 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$468** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$18**
 - **\$18** for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

kt

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



\$ EFW

DOCKET NO.: 4677

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE MATTER OF THE APPLICATION FOR PATENT

OF: Alois Johann HARINGER

|ART UNIT: 3616

SERIAL NO.: 10/825,079

|CONF. NO.: 7169

FILED: April 14, 2004

FOR: Crawler-Tracked Vehicle With
Variable Track Width

MS MISSING PARTS
COMMISSIONER FOR PATENTS
P. O. BOX 1450
ALEXANDRIA, VA 22313-1450

July 20, 2004

TRANSMITTAL OF DECLARATION AND POWER OF ATTORNEY AND SURCHARGE,
SUBSTITUTE SPECIFICATION, WITH CERTIFICATE OF MAILING ON LAST
PAGE

Dear Sir:

- 1) In Response to the Notice to File Missing Parts dated June 28, 2004, I am enclosing:
 - a) a copy of NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION;
 - b) a Declaration and Power of Attorney that has been executed by the inventor ;
 - c) A Substitute Specification, Claims and Abstract;
 - d) Form PTO-2038 (Credit Card Payment Form) (\$468.00) for filing fee, extra claim fee, and the late-filing surcharge. Any fee deficiency or additional fees should be charged to Deposit Account 50-0507.

- 2) The enclosed Declaration is the executed original of which an unexecuted copy was filed with the application papers on April 14, 2004. The Declaration does not identify the present application by serial number and filing date, but was attached to and signed in connection with a copy of the specification as filed on April 14, 2004. The application is also identified by the title, the priority data and the inventor data.
- 3) In compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, applicants are enclosing: a Substitute Specification (including claims) and Abstract, *as required in the Notice to File Missing Parts.*
- 4) Please replace the original specification with the enclosed Substitute Specification and Abstract. The Substitute Specification and Abstract corrects the informality on pages 4 to 6 and 11 of the specification as originally filed. No changes of the original text are made in the Substitute Specification. Thus, there is no "marked-up version". The Substitute Specification and Abstract do not contain any new matter. *The Substitute Specification is merely a "hard copy" replacement of the originally filed telefax copy.*
- 5) Entry of the Declaration, the Substitute Specification and Abstract, and favorable consideration and allowance of the appli-

cation, including all present claims 1 to 22, are respectfully requested.

Respectfully submitted,

Alois Johann HARINGER
Applicant

WFF:ar/4677
Enclosure:
postcard,
PTO-2038,
Declaration,
Copy of Notice to
File Missing Parts,
Substitute Specification

By

Walter F. Fasse
Walter F. Fasse
Patent Attorney
Reg. No.: 36132
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Hampden, Maine 04444-0726

CERTIFICATE OF MAILING:

I hereby certify that this correspondence with all indicated enclosures is being deposited with the U. S. Postal Service with sufficient postage as first-class mail, in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date indicated below.

Anita Morse - July 20, 2004
Name: Anita Morse - Date: July 20, 2004



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WOLFGANG G. FASSE
Of Counsel

DOCKET NO.: 4677

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|ART UNIT: 3616

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July 20, 2004

FORMAL DRAWING TRANSMITTAL WITH CERTIFICATE OF MAILING

Dear Sir:

Applicant is enclosing 15 Replacement Sheets of formal drawings with Figs. 1 to 25 thereon. The Replacement Sheets have improved clarity and formality compared to the original sheets, without substantive changes. Entry of the 15 Replacement Sheets of formal drawings is respectfully requested.

Respectfully submitted,

Alois Johann HARINGER
Applicant

WFF:ar/4677
Encls.: postcard,
15 Replacement Sheets of
formal drawings

By 
Walter F. Fasse
Patent Attorney
Reg. No.: 21187

CERTIFICATE OF MAILING:

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Anita Morse - July 20, 2004
Name: Anita Morse Date: July 20, 2004